

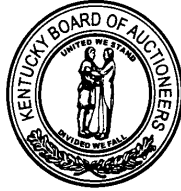
COMMONWEALTH OF KENTUCKY

KENTUCKY BOARD OF AUCTIONEERS



DIRECTORY 2005-2006

Prepared by the Kentucky Board of Auctioneers
for informational purposes only
December 2005



Commonwealth of Kentucky
KENTUCKY BOARD OF AUCTIONEERS

9112 LEESGATE ROAD, SUITE 5
LOUISVILLE, KENTUCKY 40222

COMMISSIONERS



CHAIRMAN
SAMUEL RAY GODBY
Somerset



VICE-CHAIRMAN
M. J. KURTZ WILLIAMS
Sturgis



E. GLENN BIRDWHISTELL
Lawrenceburg



STEPHEN D. LEWIS
Morehead



CLARENCE A. YANCEY
Louisville

ADMINISTRATIVE EMPLOYEES

Janet McWilliams
Principal Assistant I
Marilynn Kennedy
Administrative Secretary

LEGAL / INVESTIGATIVE EMPLOYEES

Herbert Van Arsdale, II
Secretary-Counselor
Larry Mahoney
Ray Herman
Compliance Officers

Telephone: (502) 429-7145
Fax: (502) 429-7147
Email: auctioneers@ky.gov
web Site: <http://auctioneers.ky.gov>

KBA WEBSITE

The Kentucky Board of Auctioneers has a website at <http://auctioneers.ky.gov>

It is informative for both the licensees and the public. Newsletters, updated seminar dates and details, the law, reciprocity information, links to related sites are included on the site. Exam applications, study guide and reciprocal applications are now on the site. The searchable licensee database is updated weekly.

DISCLAIMER

This printing does not constitute an official text of any of these sections and is intended for informational purposes only. No representation is made as to the accuracy or completeness of these sections. This guide shall in no way take precedence over any existing or future laws and/or regulations. The certified versions of the Kentucky Revised Statutes and Kentucky Administrative Regulations should be consulted for all matters requiring reliance on the statutory text.

DIRECTORY

History

The Auctioneers License Act was passed by the 1962 Kentucky General Assembly, thus creating the Kentucky Board of Auctioneers. On April 23, 1962, Governor Bert T. Combs signed Executive Order 62-298 and appointed John L. Cummins, Orville R. Moore, and Wayne W. Kessler as the first Board Members. The first Board meeting was held on July 2, 1962 in Louisville, Kentucky. In 1977, the number of Board Members increased to five members.

In July 1962, two hundred twenty four (224) applications for licensure were approved. On October 1, 1962 eight applicants sat for the first administration of the auctioneer examination. The pre-licensing education requirement of a high school diploma or equivalent became effective on January 1, 1985 for Principal Auctioneer applicants and on July 15, 1998 for Apprentice, Auction House Operator, Limited Livestock and Limited Tobacco applicants. The first Auction House Operator licenses were issued on January 1, 1991. Limited Livestock Auctioneer and Limited Tobacco Auctioneer licenses were first issued on July 1, 1993. Renewal 1993 was the first time that continuing education hours were reported. The continuing education requirement changed to annual reporting of six hours for Principals and three hours for Apprentices and Auction House Operators in 1994.

Primary Purpose of the Board

As an agency of the Commonwealth of Kentucky, the primary purpose of the Kentucky Board of Auctioneers is to protect the public. This is accomplished through the examination, licensing, and regulation of auctioneers and auction house operators. Compliance with the Kentucky Revised Statutes, Chapter 330, and the Kentucky Administrative Regulations promulgated by this Board is necessary in order to achieve this goal.

Reciprocal Agreements

The Kentucky Board of Auctioneers has reciprocal agreements with seventeen states. In most cases, a Kentucky resident principal auctioneer, who has had a Kentucky license for at least one year, may waive the examination in the reciprocal state and be issued an auctioneer license in the reciprocal state. During the license year of 2004-2005, fifty-five (55) auctioneers were issued licenses in Kentucky by reciprocity.

Alabama 334-269-9990	Arkansas 501-682-1156	Florida 850-487-1395	Georgia 478-207-1300
Indiana 317-234-3040	Massachusetts 617-727-3480	Mississippi 601-364-2384	North Carolina 919-567-2844
Ohio 614-728-6240	Pennsylvania 717-783-3397	Rhode Island 401-222-2416	South Carolina 803-896-4830
Tennessee 615-741-3600	Texas 512-463-6599	Virginia 804-367-8514	West Virginia 304-558-3550
Wisconsin 608-266-2112			

Examinations

During the 2004-2005 license year, 253 examinations were administered. Of this total, 56 passed the principal auctioneer exam, 102 passed the apprentice auctioneer exam, 14 passed the auction house operator exam, and 2 passed the limited livestock auctioneer exam.

Examination Dates for 2006: February 7th, May 19th, August 17th, and November 16th. The exams are administered at University of Louisville - Shelby Campus, Shelbyville Road. Pre-registration is necessary. Exam applications are available on KBA website (auctioneers.ky.gov) or mailed to the applicant upon request.

Financial Balance

The Kentucky Board of Auctioneers is a self-supporting agency of the Commonwealth. As of June 30, 2005, the Trust & Agency Account's ending fiscal year balance was \$163,008.67. The ending balance in the Auctioneers Education, Research and Recovery Fund was \$395,525.10.

Monies transferred from the Recovery Fund to the General Fund of the Commonwealth of Kentucky: \$476,400 in April 2003 and \$7,700 in January 2004.

Licensee Statistics

As of November 21, 2005 there are 2,499 licensees: 1,780 principal auctioneers, 613 apprentice auctioneers, 86 auction house operators, and 20 limited livestock auctioneers. Of these licensees, there are 372 auctioneers with reciprocal licenses and 107 individuals with escrowed licenses.

Renewal

All licenses expire June 30th. Renewal notices are mailed to all licensees in late May. The completed renewal form is returned to the Board office with the renewal fee on or before Friday June 30, 2006. If the completed renewal is not received by the Board, the license is canceled and the individual may not perform services as an auctioneer or auction house operator.

A renewal is processed only if the licensee* has completed the required continuing education (CE) from July 1, 2005 through June 30, 2006.

If a late renewal form is submitted between July 1, 2006 and December 31, 2006 AND the continuing education is completed between July 1, 2005 and June 30, 2006, the license will be considered a late renewal and the applicable fees will be due. If a licensee is exempt* from reporting continuing education and submits a late renewal form between July 1, 2006 and December 31, 2006, the license will be considered a late renewal and the applicable fees will be due.

If continuing education has not been earned by June 30, 2006 or the renewal form and proof of applicable CE has not been submitted to the Board on or before December 31, 2006, the individual will be required to take the examination for licensure. The exemption status for continuing education is voided.

Continuing Education

A Principal Auctioneer or a Nonresident Principal Auctioneer reports six hours. An Apprentice, a Nonresident Apprentice, or an Auction House Operator reports three hours.

An individual who passes an exam, and: 1) is issued an initial Principal Auctioneer license from 7/1/05 through 6/30/06 – reports 3 hours of CE for the 2006 renewal; 2) is issued an initial Apprentice license or an initial Auction House Operator license from 7/1/05 through 6/30/06 – is exempt from reporting CE for the 2006 renewal.

*Licensees exempt from reporting continuing education in Kentucky for the June 30, 2006 renewal are: 1) an individual who has a Kentucky license originally issued before 1980, 2) an individual who only has a Limited Livestock License or a Limited Tobacco License and 3) an individual whose license is in escrow.

Beginning with renewal 2006 and since the Kentucky Board of Auctioneers recognizes the CE requirement of the home jurisdiction of a reciprocal auctioneer, the requirement to renew is submission of the renewal form, fee and a Letter of Good Standing. If the home jurisdiction does not require CE, the Kentucky reciprocal licensee must meet Kentucky's continuing education requirement by earning six hours of continuing education between July 1st of previous year and June 30th of renewal year.

The Kentucky Board of Auctioneers maintains records of individuals who attend KY Board of Auctioneers' seminars or the KY Auctioneers Association Convention seminars. Licensees who earn continuing education credit from other sponsors should submit a copy of proof of attendance or a completion document by fax or mail to the Board office. Courses/seminars accepted for continuing education include: 1) Colleges/Universities, 2) Certified Auction Institute, 3) Auction Schools, 4) KAA, NAA and other state/national auctioneer associations, and 5) any State or Federal agencies, boards or commissions.

Auction Houses

A licensed auction house operator or a licensed principal auctioneer must own the controlling interest (51% or greater) in the auction business and receive the financial gain from said business. If there are equal partners in the auction business, all partners must have a license issued by the Kentucky Board of Auctioneers. An individual with an auction house operator license cannot call the bids, but must use the services of a licensed auctioneer to call bids. If the owner of an auction house business is a Kentucky-licensed principal auctioneer, an auction house operator license is not required.

An Auction House Operator License refers to a fixed-base location. An auction house operator may not manage an auction away from the business address on his/her license. If an auction house operator has more than one auction house, he/she must apply for an additional auction house operator license. The exam is not required for additional auction house operator licenses.

Disciplinary Actions - July 2004 through June 2005

-Order dated 11/17/2004, Jack E. Grigson, P2356 and Jack E. Grigson, Jr., P2419. Probated for 1 year, fine of \$250 each, better supervision of unlicensed employees. Grigson Jr additional three hours of continuing education by 6/30/05. Violation of KRS 330.110(8)(10)((11)(12), 201 KAR 3:045, KRS330.220(1)(b)(c).

Escrow of Licenses

A licensee with an escrowed license is considered inactive and may not perform any auctioneering activities as described in KRS Chapter 330. A letter of request and license is submitted to the Board office. There is no fee to escrow a license. If a person has not renewed his/her license by July 1st, he/she may not escrow and renew the license to avoid continuing education.

The licensee is exempt from reporting continuing education at renewal. An escrowed license must be renewed annually by submitting the renewal form and fee. To reactivate an escrowed license, submit a letter of request, the business address and daytime phone (an apprentice would also need a letter of association from a principal auctioneer), proof of the required continuing education, and a fee of \$130.